

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

RIM OF THE WORLD UNIFIED SCHOOL
DISTRICT AND SAN BERNARDINO
COUNTY SUPERINTENDENT OF
SCHOOLS,

v.

PARENT ON BEHALF OF STUDENT.

OAH Case No. 2015120623

ORDER GRANTING MOTION TO
RESTART TIMELINES AS OF
DECEMBER 23, 2015

On December 17, 2015, District filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Student. On December 17, 2015, OAH issued a Scheduling Order. On December 23, 2015, District filed a motion to restart the timelines set out in the Scheduling Order because the complaint had not been properly served on Parent until December 23, 2015.

A due process hearing must be conducted and a decision rendered within 45 days of receipt of the due process notice unless an extension is granted for good cause. (34 C.F.R. § 300.515(a) & (c) (2006); Ed. Code, §§ 56502, subd. (f), 56505, subd. (f)(3); Cal. Code Regs., tit. 1, § 1020.)

The decision timeline runs from receipt of the complaint, and will be re-set due to the initially improper service upon Parent. District's motion is granted. The complaint shall be deemed filed on December 23, 2015. All applicable timelines shall be reset as of December 23, 2015. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

DATE: December 24, 2015

/s/

JUNE R. LEHRMAN
Presiding Administrative Law Judge
Office of Administrative Hearings